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to me 

I very much agree that the judge entered the dismissal with prejudice because he wanted this matter over. However, what you're not understanding is that what the judge did is not permissible. The judge does not have the power to dismiss the case with prejudice when the motion pending before it was only a motion to continue. We did not indicate that the case had been settled. The motion states that the parties have entered into a settlement agreement but that it was not yet completed, as the money transaction had not yet occurred. The court does not have the right to dismiss the case with or without prejudice under any circumstances based upon our motion to continue. The judge does not have that much power.

By the way I don't feel guilty because the court did this, and I am not attempting to defend the bank. The reality is that I recognize from a legal standpoint that what the court did was incorrect. And it's my job to tell you the truth. The truth is this order of dismissal will not stand. Whether I support it or not. This order of dismissal will be stricken. It is not proper. There is no legal basis to support it.

I do not understand why you think my sober, unbiased analysis of the law is some sort of weakness or attempt to apologize for the bank. It would be far easier for me to lie to you and to tell you everything is fine and that there's nothing the bank can do to overturn it. That would be an absolute lie. I take my responsibility to advise my clients very seriously. I will always give my clients the good news and the bad news unfiltered. And I won't shrink from that obligation, as uncomfortable as that can be.

I remain hopeful that the case will stay off the trial docket for Monday, but we must also be prepared if the court places back on. We can discuss that if it happens.